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Investigator
JAFF VENNE
Victim/Witness Coordinator
TERRIS, VAN DELLEN

To: Craig Miller, 2832 Coolidge Street, Madison, WI 53704

From: Atty. Eric Sparr

Date: November 30, 2016

18-0-1126

Re: referral for criminal charges against Carol Straks OP 16-11469

As I mentioned in our phone conversation today, our office will not be issuing criminal charges against Ms. Straks. However, this should not be taken to mean that I believe these incidents did not happen. I have reviewed the police reports, spoken to Det. Artus, and also to Capt. Toney at Oshkosh Correctional. After all of that, I think this probably happened approximately as you describe. However, we do not issue charges based solely on that. We must examine whether we can prove the case to a jury beyond a reasonable doubt, and my conclusion is that we cannot.

One of the things that went into this determination is that there are things I am aware of (most notably, her current relationship with a former inmate, and her termination from employment subsequent to the incidents alleged for what appears to be missing pills), that a jury would not get to hear. There are other issues that would impact provability as well, such as the timing of the referral, but those can be gleaned from the police reports.

I am happy to assist in getting you the information you need to pursue civil action in this case. I have enclosed the police reports with this letter. You had also inquired about getting a lawyer for a civil lawsuit. While I am not able to make referrals, I can direct you to the Wisconsin Bar Lawyer Referral Service, which exists for this exact purpose. Go to www.wisbar.org and click on the button labeled "I need help from a lawyer near me." I mentioned I could also direct you to some information regarding filing your lawsuit, whether as small claims, or elsewhere. To determine whether small claims is appropriate, you can take a look at https://www.co.winnebago.wi.us/clerk-courts and scroll down to the "small claims" section. If there are other documents we might be able to provide to you, please let me know.

Eric Sparr



Wisconsin Department of Corrections

Governor Scott Walker | Secretary Jon E. Litscher

Kettle Moraine Correctional Institution

MEMORANDUM

DATE:

April 10, 2018

TO:

Craig Miller #40569 Unit 16

FROM:

Robert Humphreys, Walden

RE:

PREA

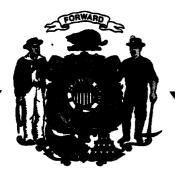
Your correspondence was received in my office on April 9, 2018 in regard to a PREA claim. It is noted the PREA claim that was investigated while you were at OSCI was unfounded and no further follow up is required.

CC: File

Security Director Pollard

Case 2:18-cv-01126-PP Filed 07/20/18 Page 2 of 3 Document 1-1 W9071 Forest Drive | PO Box 31 | Plymouth, Wisconsin 53073-0031 | Phone Number: (920) 526-3244

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Wisconsin Department of Corrections

Governor Scott Walker | Secretary Cathy A. Jess

Kettle Moraine Correctional Institution

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MEMORANDUM

DATE:

June 14, 2018

TO:

Craig Miller #40569 Unit 9

FROM:

Robert Humphreys, Warden

RE:

PREA allegation and Denied Visit

Your PREA allegations were investigated and determined to be unfounded. No further action will be taken.

Per DAI Policy #309.06.01, proposed visitors who are denied may appeal to the Warden of the facility where the inmate is located. Inmates may appeal through the ICRS. Please use the ICRS to appeal your denied visitor.

CC: File

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